

35 U.S.C. § 102(e) as being anticipated by Akimoto (U.S. Patent No. 6,027,262). The Examiner rejected claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by Loopstra et al. (U.S. Patent No. 5,969,441). The Examiner also rejected claims 2 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Akimoto in view of Lin (U.S. Patent No. 5,715,064). The Examiner rejected claims 2, 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Hasebe et al. in view of Lin. Finally, the Examiner rejected claims 1-11 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 5,969,441.

Applicants have obviated the obviousness-type double patenting rejection by filing a terminal disclaimer attached hereto. Applicants thus respectfully request that the obviousness-type double patenting rejection based on claims 1-14 of U.S. Patent No. 5,969,441 be withdrawn.

In regard to the rejection of claim 1 under 35 U.S.C. § 102(e) based on Akimoto, Applicants have filed an accurate translation of the original priority document so that the Examiner may satisfy himself that it fully supports all claims pending in the Application. In particular, the Examiner's attention is directed to Figures 4 and 5 and pages 19-22 of the translation for examples of support for the currently claimed invention in the priority document. Since the PCT Application filed February 27, 1998 claims priority from the European Application dated March 10, 1997, as does the instant Application, and the Examiner indicated that all certified copies of the priority documents have been received, Applicants respectfully submit that Akimoto is no longer to be considered prior art under 35 U.S.C. § 102(e). Therefore, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 102(e) as having been anticipated by Akimoto, be withdrawn.

In regard to the rejection of claims 2 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Akimoto in view of Lin, Applicants respectfully submit that the primary reference to Akimoto is no longer to be considered prior art and Lin fails to teach or suggest all the features recited in claims 2 and 6. Since Akimoto is no longer to be considered prior art, Applicants respectfully request that the rejection of claims 2 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Akimoto in view of Lin, be withdrawn.

In regard to the rejection of claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by Loopstra et al, Applicants respectfully submit that it is no longer to be considered prior art since it was filed October 10, 1997, whereas the current Application has a Section 102(e) date of March 10, 1997. As noted above, an accurate translation of the priority document is attached to this response so the Examiner can satisfy himself that it fully supports all of the pending claims. In addition, the Examiner indicated that all of the certified copies of the priority documents have been received in the U.S. Patent and Trademark Office. Therefore, Applicants respectfully submit that Loopstra et al. is no longer to be considered prior art under 35 U.S.C. § 102(e). Applicants thus respectfully request that the rejection of claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by Loopstra et al. be withdrawn.

Applicants respectfully traverse the rejection of claim 1 under 35 U.S.C. § 102(a) as being anticipated by Hasebe et al. for at least the following reasons. The Examiner stated that the Hasebe et al. reference discloses a positioning device with a guiding surface and a first and second object holder. However, it is difficult to understand what the Examiner considers to be a guiding surface extending parallel to an X direction and parallel to a Y direction, as well as first and second object holders that are each adapted to be guided over the guiding surface, each being displaceable parallel to the X direction and the Y direction.

Hasebe et al. disclose a displacement unit 122 that can be moved in a horizontal X direction and a vertical Z direction (column 4, lines 42-56). The Hasebe et al. reference seems to disclose another displacement unit 124, but it is only movable in one direction, not in both X and Y directions (column 4, lines 57-63). The Hasebe et al. reference also seems to disclose a displacement unit 126 (column 5, lines 40-58). However, each of the displacement units 122, 124 and 126 are individually movable over an individual guide. There is no guiding surface extending parallel to an X direction and a Y direction disclosed or even suggested in Hasebe et al in which first and second object holders are adapted to be guided thereover.

The Hasebe et al. reference seems to disclose exchanging an object between displacement units 122 and 124, and between displacement units 124 and 126; but there is no teaching or suggestion that object holders can be coupled alternately to first and second displacement units. Hasebe et al. describes an apparatus with a very different structure from that recited in claim 1. The displacement unit of Hasebe et al. merely positions an object in extension unit EXT as an intermediate position that is accessible by two displacement units. Applicants thus respectfully submit that Hasebe et al. describes an apparatus with a very different structure from that recited in claim 1, for at least the reasons noted above. Therefore, Applicants respectfully submit that claim 1 is patentable over Hasebe et al., and request that the rejection under 35 U.S.C. § 102(a) be withdrawn.

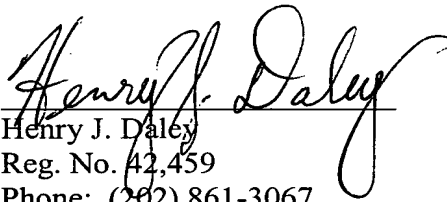
In regard to the rejection of claims 2, 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Hasebe et al. in view of Lin, Applicants respectfully traverse for at least the reasons noted above in regard to claim 1. The Examiner cited Lin as disclosing X and Y motors to move object holders. However, Applicants respectfully submit that Lin neither

teaches nor suggests at least the deficiencies of Hasebe et al. noted above in regard to claim 1. Therefore, Applicants respectfully submit that claims 2, 6 and 7 are in condition for allowance and request that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Applicants have addressed all of the Examiner's objections and rejections and respectfully submit that the Application is in condition for allowance. A Notice to that effect is earnestly solicited.

Respectfully submitted,

PILLSBURY WINTHROP LLP

  
Henry J. Daley  
Reg. No. 42,459  
Phone: (202) 861-3067

HJD:emg  
1100 New York Ave., N.W.  
Ninth Floor, East Tower  
Washington, D. C. 20005-3918  
Tel. (202) 861-3000  
Fax: (202) 822-0944